

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE**

In Re:	*	Chapter 7
	*	Case No. 15-11855-BAH
M & K Complex,	*	
A Limited Partnership	*	Hearing Date: 04/06/16
	*	Hearing Time: 11:00 a.m.
	*	
Debtor(s)	*	<u>Objection Deadline: 03/30/16</u>
	*	

**ORDER ON CHAPTER 7 TRUSTEE’S MOTION TO APPROVE COMPROMISE AND
SETTLEMENT WITH CAROL A. JOHNSON**

CAME BEFORE THE COURT ON THIS 6TH day of April, 2016, the Chapter 7 Trustee’s Motion to Approve Compromise and Settlement with Carol A. Johnson (“the Motion”), and after adequate notice and hearing on the Motion, and no objections having been filed, or any objections having been resolved, and good cause appearing for granting the Motion, it is hereby ORDERED, ADJUDGED AND DECREED THAT:

1. The Motion is granted.
2. The Settlement Agreement attached to the Motion as Exhibit A is approved and incorporated herein by reference. The compromise set out in the Motion and the Settlement Agreement is found to be fair and reasonable and in the best interests of the bankruptcy estate.
3. The Trustee is hereby authorized to distribute, without further order of the Court, any net proceeds from the sale of the Debtor’s commercial condominiums, as defined in the Motion and the Settlement Agreement (essentially the net proceeds from any sales after payment of any

uncontested lien of TD Bank, NA and any ordinary seller's closing costs, including broker fees, if applicable, seller's transfer taxes, and prorated real estate taxes or utilities, if applicable) as follows: the first \$30,000.00 of any such net proceeds to the estate; the next \$15,000.00 to Carol A. Johnson, and the remaining net proceeds 50% to the estate and 50% to Carol A. Johnson. Further, the estate's portion of the net proceeds shall be capped at \$175,000.00, unless the Trustee has had to bring litigation against TD Bank, NA regarding its lien on Unit 205, wherein the \$175,000.00 cap shall not apply.

4. For any distribution made under the previous paragraph, the Trustee shall file an accounting on the docket, showing the date of any such distribution, the commercial condo unit(s) it was paid on and the amount paid to the estate and Carol Johnson.

SO ORDERED.

Dated: _____

Bruce A. Harwood, Judge
U.S. Bankruptcy Court for the District of NH